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December 30, 2003

Attorney Docket No.: 06975-467001

Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Presented for filing is a new patent application claiming priority from a provisional patent application of:

Applicant: PATRICK BLATTNER AND JOHN ROBINSON

Title: USING AVATARS TO COMMUNICATE CONTEXT OUT-OF-BAND

Enclosed are the following papers, including those required to receive a filing date under 37 CFR §1.53(b):

| | <u>Pages</u> |
|---------------|-----------------------------|
| Cover Sheet | 1 |
| Specification | 54 |
| Claims | 9 |
| Abstract | 1 |
| Declaration | To be Filed at a Later Date |
| Drawings | 19 |

Enclosures:

- Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i) - 1 page.
- Postcard.

Under 35 USC §119(e)(1), this application claims the benefit of prior U.S. provisional applications 60/512,852, filed October 22, 2003 and 60/450,663, filed March 3, 2003, both of which are incorporated by reference.

| | |
|----------------------------------------------|--------|
| Basic filing fee | \$770 |
| Total claims in excess of 20 times \$18 | \$936 |
| Independent claims in excess of 3 times \$86 | \$86 |
| Fee for multiple dependent claims | \$0 |
| Total filing fee: | \$1792 |

Under 37 CFR §1.53(f), no filing fee is being paid at this time.



Frederick P. Fish
1855-1930

W.K. Richardson
1859-1951



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Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please direct all correspondence to the following:

26171

PTO Customer Number

Respectfully submitted,

Barbara A Benoit

Barbara A. Benoit
Reg. No. 54,777
Enclosures
BVB/aum
40195886.doc

**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

| | |
|----------------------|--------------------------------------------------|
| First Named Inventor | Patrick Blattner et al. |
| Title | Using Avatars to Communicate Context Out-of-Band |
| Atty Docket Number | 06975-467001 |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

12-30-2003
Date

Barbara A Benoit Reg No 54,777
Signature

Barbara A. Benoit
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**